

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LOCAL 210 PENSION FUND ET AL, :
: 18 Civ. 11084 (PAE)
Plaintiffs, :
: ORDER OF DISMISSAL
-v- :
:-----
SUPER PACK WAREHOUSE & DISTRIBUTION INC., :
: 18 Civ. 11084 (PAE)
Defendant. :
:-----X

PAUL A. ENGELMAYER, District Judge:

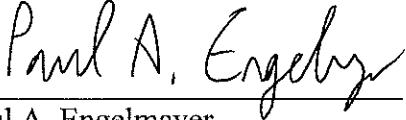
On September 29, 2021, the Court issued an order to show cause why this action should not be dismissed for failure to prosecute under Federal Rule of Civil Procedure 41. Dkt. 3. On November 28, 2018, plaintiffs filed the complaint in this action. Dkt. 1. Thereafter, plaintiffs have taken no further steps to prosecute the case.

The Court's September 29, 2021 order to show cause advised that cause may be shown by properly requesting a certificate of default from the Clerk of Court, and, by October 15, 2021, filing a motion for default judgment with the Court. Dkt. 3. Plaintiff has not taken these steps or otherwise taken any action to make any progress in this case since the Court's order to show cause.

Accordingly, under Federal Rule of Civil Procedure 41(b) and the Court's inherent power, *see Link v. Wabash R.R. Co.*, 370 U.S. 626, 630–32 (1962), the Court hereby dismisses this case, without prejudice, for the plaintiff's failure to prosecute.

The Clerk of Court is respectfully directed to close this case.

SO ORDERED.


Paul A. Engelmayer
United States District Judge

Dated: January 19, 2022
New York, New York